

GOVERNMENT OPERATIONS COMMITTEES

ANNOUNCEMENT OF PUBLIC HEARINGS

For the date, time, and location of this hearing of the Joint Operations committees, call 615-741-3642. The following rules were filed in the Secretary of State's office during the previous month. All persons who wish to testify at the hearings or who wish to submit written statements on information for inclusion in the staff report on the rules should promptly notify Fred Standbrook, Suite G-3, War Memorial Building, Nashville TN 37243-0059, (615) 741-3072.

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-01-07	Dec 4, 2007	1200 Health Board for Licensing Health Care Facilities	Rulemaking Hearing Rules	Amendments	2768	Chapter 1200-08-30 Standards for Pediatric Emergency Care Facilities 1200-08-30-.01, Definitions 1200-08-30-.03 Administration 1200-08-30-.05 Basic Functions 1200-08-30-Table 1	Lucy Bond Deputy General Counsel Department of Health Office of General Counsel 220 Athens Way, Suite 210 Plaza 1 Metrocenter Nashville, TN 37243 615-532-7156	Feb 17, 2008
12-02-07	Dec 3, 2007	1260 Real Estate Commission	Rulemaking Hearing Rules	Amendments	2769	Chapter 1260-01 Licensing 1260-01-.01 Applications For Examinations 1260-01-.12 Fees 1260-01-.15 Errors and Omissions Insurance Coverage	Kathryn M. Wiseman Commerce and Insurance Office of Legal Counsel 500 J Robertson Pkwy Davy Crockett Twr 12th Fl Nashville TN 37243 (615) 741-3072	Feb 16, 2008
				New rule	2770	Chapter 1260-02 Rules of Conduct 1260-02-.33 Gifts and Prizes 1260-02-.37 Septic System Inspection Letters		
				Amendments	2771	Chapter 1260-05 Educational Requirements 1260-05-.01 Purpose 1260-05-.03 Requirements for Courses 1260-05-.07 Records 1260-05-.11 Correspondence Courses 1260-05-.16 Course Approval Periods		

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-03-07	Dec 3, 2007	1340 Safety Driver Control Division	Proposed Rules	Amendmnet	2272	Chapter 1340-03-03 Rules and Regulations for School Bus Inspection Procedures 1340-03-03-.01 Definitions 1340-03-03-.03 Policies For School Bus Inspections 1340-03-03-.04 Policy For School Bus Inspection Stickers 1340-03-03-.05 Procedures For School Bus Inspections 1340-03-03-.06 Criteria For Removing Buses From Service	Lt. Ray Robinson Pupil Transportation Safety 1150 Foster Ave Nashville, TN 37249- 1000 615-687-2304	April 29, 2008
12-04-07	Dec 3, 2007	1340 Safety Division of Driver License Issuance	Proposed Rules	Amendment	2773	Chapter 1340-01-13 Rules of Classified and Commercial Driver Licenses And Certificates For Driving 1340-01-13-.01 Purpose 1340-01-13-.02 Definitions 1340-01-13-.03 Driver License and Certificate for Driving Classifications 1340-01-13-.04 Endorsements 1340-01-13-.05 Instructional Permits 1340-01-13-.06 Photo Identification Licenses 1340-01-13-.08 General Eligibility Standards 1340-01-13-.09 Mental and Physical Standards 1340-01-13-.10 Vision Standards 1340-01-13-.11 Application Requirements 1340-01-13-.12 Proof of Date of Birth, Residency, Lawful Permanent Residency and Identification	Wanda Moore Safety 1150 Foster Ave-- McCord Hall Nashville, TN 37249- 1000 615-251-5140	April 29. 2008

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-04-07, cont.						1340-01-13-.13 Minors Obtaining Licenses or Certificates for Driving 1340-01-13-.14 Fees 1340-01-13-.15 Examinations 1340-01-13-.16 Fraudulent Applications 1340-01-13-.17 Expirations and Renewals 1340-01-13-.18 Contents and Design of Licenses and Certificates For Driving 1340-01-13-.19 Changes of Information, Duplicates 1340-01-13-.20 Restrictions 1340-01-13-.21 Reinstatement after Cancellation, Revocation, or Suspension 1340-01-13-.22 Third Party Testing		
12-06-07	Dec 6, 2007	1640 Student Assistance Corporation	Proposed Rules	Amendments	2774	Chapter 1640-01-13 Minority Teaching Fellows Program 1640-01-13-.01 Introduction 1640-01-13-.02 General 1640-01-13-.03 Eligibility 1640-01-13-.04 Method of Selection 1640-01-13-.05 Loan Amount and Terms	Thomas R. Bain TSAC Suite 1510 404 J Robertson Pkwy Nashville TN 37243-0820 615-253-7476 Thomas.Bain@state.tn.us	April 29, 2008
				Repeal	2775	1640-01-13-.07 Precedence of the Act		

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12-07-07	Dec 6, 2007	1640 Student Assistance Corporation	Proposed Rules	Amendments	2776	Chapter 1640-01-17 Tennessee Teaching Scholars Program 1640-01-17-.01 Introduction 1640-01-17-.02 General 1640-01-17-.03 Eligibility 1640-01-17-.04 Method of Selection 1640-01-17-.05 Loan Amount and Terms 1640-01-17-.06 Appeals Procedures	Thomas R. Bain, TSAC Suite 1510 404 J Robertson Pkwy Nashville, TN 37243-0820 615-253-7476	April 29, 2008
				Repeal	2777	1640-01-17-.07 Precedence of the Act		
12-08-07	Dec 6, 2007	1255 Real Estate Appraiser Commission	Rulemaking Hearing Rules	Amendments	2786	Chapter 1255-01 General Provisions 1255-01-.05 Qualifications for State Licensed Appraiser. 1255-01-.07 Qualifications for State Certified Residential Appraiser 1255-01-.08 Qualifications for General Certification 1255-01-.10 Denial of License or Certificate 1255-01-.11 License or Certificate Expiration 1255-01-.12 License and Certificate Renewal 1255-01-.13 Registered Trainee 1255-01-.14 Replacement License or Certificate 1255-01-.15 Federal Appraiser Registry	J. Wayne Pugh Davy Crockett Tower, 12th Floor 500 James Robertson Parkway Nashville, TN 37243 615-741-3072	Feb 19, 2008
					2779	Chapter 1255-02 Evaluation of Appraisal Education 1255-02-.02 Educational Logging		

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-08-07. cont.					2780	1255-02-.03 Repeated Courses 1255-02-.04 Standards for Acceptance of Coursework 1255-02-.05 Course Provider Applications 1255-02-.06 Course Guidelines 1255-02-.07 Course Content Guidelines – Qualifying Education 1255-02-.08 Course Content Guidelines-Continuing Education 1255-02-.09 Records 1255-02-.10 Inspections 1255-02-.11 Changes in Applications 1255-02-.12 Withdrawal of Approval 1255-02-.13 Promotional Material 1255-02-.14 Repetition of Course Content 1255-02-.15 Fees 1255-02-.16 Individual Review Chapter 1255-03 Evaluation of Appraisal Experience 1255-03-.02 Hourly Credit Guidelines 1255-03-.03 Criteria for Standard and Review Appraisal Experience		

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-08-07, cont.					2781	Chapter 1255-04 Continuing Education 1255-04-.01 Continuing Education	Adrian Chick Commerce and Insurance 500 J Robertson Pkwy D Crockett Twr 12th Fl Nashville TN 37243 (615) 741-3072	
					2782	Chapter 1255-05 Standards of Professional Practice 1255-05-.01 Uniform Standards of Appraisal Practice		
					2783	Chapter 1255-07 Inactive Status 1255-07-.01 Inactive Status		
12-09-07	Dec 11, 2007	1240 Human Services Division of Medical Services	Rulemaking Hearing Rules	Amendments	2787	Chapter 1240-03-03 Technical and Financial Eligibility Requirements for Medicaid 1240-03-03-.02, Technical Eligibility Factors	Phyllis Simpson Assistant General Counsel Citizens Plaza Building, 15th Floor 400 Deaderick Street Nashville, Tennessee 37243-1403 (615) 313-4731	Feb 24, 2008
				Repeal	2788	Chapter 1240-01-06 Medicaid Coverage AFDC Only 1240-01-06-.02, Authorizing Medical Benefits 1240-01-06-.06 Extended Medicaid Coverage 1240-01-06-.03, Retroactive Medicaid Coverage,		
12-11-07	Dec 12, 2007	0800 Labor and Workforce Development Division of Workers' Compensation	Notice of Withdrawal of Rules		12-11-07	Chapter 0800-02-06, Utilization Review Rules 0800-02-06-.01 through 0800-02-06-.13 Rules originally filed on 12th day of October, 2007, to have become effective on the 26th day of December, 2007.	Blaine Sprouse 220 French Landing Nashville TN 37243 615-253-8937	Dec 12, 2007

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-12-07	Dec 11, 2007	0780 Commerce and Insurance Insurance Division	Rulemaking Hearing Rules	New Rules	2790	Chapter 0780-01-82 Rating Appeals Before the Commissioner 0780-01-82-.01 Purpose 0780-01-82-.02 Scope 0780-01-82-.03 Authority 0780-01-82-.04 Definitions 0780-01-82-.05 Requests to Review 0780-01-82-.06 Filing of Appeals 0780-01-82-.07 Scheduling of Appeals 0780-01-82-.08 Procedure for Appeals 0780-01-82-.09 Settlement of Appeals 0780-01-82-.10 Final Order 0780-01-82-.11 Judicial Review 0780-01-82-.12 Information Provided to Insureds	Dakasha Winton Commerce and Insurance Office of Legal Counsel 500 J Robertson Pkwy Davy Crockett Twr 12th Fl Nashville, Tennessee 37243 615-741-3072	Feb 24, 2008
12-13-07	Dec 11, 2007	Commerce and Insurance Division of Fire Prevention	Rulemaking Hearing Rules	Amendments	2791	Chapter 0780-02-03 Review of Construction Plans and Specifications 0780-02-03-.01 Definitions 0780-02-03-.02 Submission of Plans	Robert E. Herndon Commerce and Insurance Office of Legal Counsel 500 J Robertson Pkwy Davy Crockett Twr 12th Fl Nashville, Tennessee 37243 615-741-3072	Feb 24, 2008
12-14-07	Dec 12, 2007	0800 Labor and Workforce Development Division of Workers' Compensation	Proposed Rule	Amendments	2792	Chapter 0800-02-05 Benefit Review Process Rules 0800-02-05-.01 Definitions 0800-02-05-.06 Discovery 0800-02-05-.09 Exhaustion of the Benefit Review Conference Process	Blaine Sprouse 220 French Landing Nashville TN 37243 615-253-8937	April 29, 2008

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12-15-07	Dec 11, 2007	0680 Licensing Contractors	Public Necessity Rules	New Rules	2784	Chapter 0680-06 General Liability Insurance 0680-06-.01 Definitions 0680-06-.02 Amount of Insurance 0680-06-.03 Proof of Insurance	Sarah Oschack-Tarter Commerce and Insurance Office of Legal Counsel 500 J Robertson Pkwy Davy Crockett Twr 12th Fl Nashville, Tennessee 37243 615-741-3072	Dec 11, 2007 through May 24, 2008
12-16-07	Dec 13, 2007	0780 Commerce and Insurance Division of Regulatory Boards	Public Necessity Rules	Amendments	2785	Chapter 0780-05-10 Preneed Funeral Service Contracts 0780-05-10-.14 Registration of Contract Sellers; Fees	Adrian Chick Commerce and Insurance 500 J Robertson Pkwy D Crockett Twr 12th Fl Nashville TN 37243 (615) 741-3072	Dec 13, 2007 through May 26, 2008
12-17-07	Dec 13, 2007	0940 Mental Health and Developmental Disabilities Mental Health Services Division	Proposed Rules	Amendments	2793	Chapter 0940-03-05 Mental Health Supportive Living Facility Quality Enabling Program 0940-03-05-.01 Purpose 0940-03-05-.02 Participation of Residents 0940-03-05-.03 Participation of Providers 0940-03-05-.05 Reimbursement 0940-03-05-.06 Termination from Participation 0940-03-05-.07 Hearing	Cindy Tyler, Director of Legal Counsel, DMHDD 425 5th Ave. North, Cordell Hull, 3rd Floor Nashville, Tennessee 37243 (615) 532-6520	April 29, 2008
12-18-07	Dec 13, 2007	0400/1200 Environment and Conservation Division of Remediation	Rulemaking Hearing Rules	Amendments	2794	Chapter 1200-01-13 Hazardous Substance Remedial Action 1200-01-13-.13 List of Inactive Hazardous Substance Sites	Robert L. Powell Division of Remediation 4th Floor Annex, L & C Building Nashville, TN 37243 (615)532-0916	Feb 26, 2008

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12-19-07	Dec 17, 2007	1660 Tennessee Wildlife Resources Agency	Rulemaking Hearing Rules	New Rule	2795	Chapter 1660-01-14 Rules and Regulations For Refuges, Wildlife Management Areas and Public Hunting Areas 1660-01-14-.16 Bellamy Cave Wildlife Refuge	Tracey E. Boyers, Attorney Tennessee Wildlife Resources Agency P.O. Box 40747 Nashville, TN 37204	March 1, 2008
12-21-07	Dec 18, 2007	0120 Architectural and Engineering Examiners	Rulemaking Hearing Rules	Amendments	2796	Chapter 0120-01 Registration Requirements and Procedures 0120-01-.10 Education and Experience Requirements – Engineer 0120-01-.11 Education and Experience Requirements – Architect	J. Wayne Pugh Commerce and Insurance Office of Legal Counsel 500 J Robertson Pkwy Davy Crockett Twr 12th Fl Nashville, Tennessee 37243 615-741-3072	March 2, 2008
12-24-07	Dec 20, 2007	0800 Labor and Workforce Development	Rulemaking Hearing Rules	New Rules	2797	Chapter 0800-06-01 Non-Smoker Protection Act Rules 0800-06-01-.01 Purpose. 0800-06-01-.02 Public Places Regulated. 0800-06-01-.03 Signage. 0800-06-01-.04 Violations. 0800-06-01-.05 Complaints. 0800-06-01-.06 Penalties. 0800-06-01-.07 Enforcement Process, Appeals and Payment of Penalties. 0800-06-01-.08 Copy Costs.	Daniel A. Bailey, General Counsel, 4th Fl, Bldg A, 220 French Landing Drive Nashville, TN 37243, (615) 741-9550.	March 4, 2008
12-25-07	Dec 20, 2007	0800 Labor and Workforce Development Division of Workers' Compensation	Rulemaking Hearing Rules	Amendments and New Rule	2798	Chapter 0800-02-17 Medical Cost Containment Program 0800-2-17-.03 Definitions 0800-2-17-.20 Utilization Review 0800-2-17-.25 Impairment Ratings-Evaluations and in Medical Records	E. Blaine Sprouse Labor & Workforce Development 220 French Landing Dr. Nashville, TN 37243 (615) 253-8937	March 4, 2008

FS	DATE FILED	DEPARTMENT AND DIVISION	TYPE OF FILING	DESCRIPTION	DBID	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
12-26-07	Dec 20, 2007	0800 Labor and Workforce Development Division of Workers' Compensation	Rulemaking Hearing Rules	Amendments and New Rule	2799	Chapter 0800-02-18 Medical Fee Schedule 0800-02-18-.01 Medicare-Basis for System, Applicability, Effective Date And Coding References 0800-02-18-.02 General Information and Instructions for Use 0800-02-18-.05 Anesthesia Guidelines 0800-02-18-.07 Ambulatory Surgical Centers and Outpatient Hospital Care (Including Emergency Room Facility Charges) 0800-02-18-.09 Physical and Occupational Therapy Guidelines 0800-02-18-.11 Orthotics and Prosthetics Guidelines	E. Blaine Sprouse Labor & Workforce Development 220 French Landing Dr. Nashville, TN 37243 (615) 253-8937	March 4, 2008
12-30-07	Dec 26, 2007	0940 Mental Health and Developmental Disabilities Mental Health Services Division	Proposed Rules	Amendments	2801	Chapter 0940-03-06 Hospital Isolation and Restraint 0940-03-06-.02 Definitions 0940-03-06-.08 Length of Authorization 0940-03-06-.10 Assessments 0940-03-06-.12 Monitoring and Assessment of Continued Need 0940-03-06-.19 Training	Cindy Tyler, Director of Legal Counsel, DMHDD 425 5th Ave. North, Cordell Hull, 3rd Floor Nashville, Tennessee 37243 (615) 532-6520	April 29, 2008

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12-33-07	Dec 27, 2007	1200 Health	Rulemaking Hearing Rules	New Rules	2802	Chapter 1200-32-01 Non-Smoker Protection Act Rules 1200-32-01-.01 Purpose. 1200-32-01-.02 Public Places Regulated. 1200-32-01-.03 Signage. 1200-32-01-.04 Violations. 1200-32-01-.05 Complaints. 1200-32-01-.06 Penalties. 1200-32-01-.07 Enforcement Process, Appeals and Payment of Penalties. 1200-32-01-.08 Copy Costs.	Robert J. Kraemer, Health OGC Plaza I, 220 Athens Way, Suite 210, Nashville, Tennessee 37243 (615) 741-1611	March 11, 2008
12-34-07	Dec 28, 2007	0780 Commerce and Insurance Fire Prevention	Notice of Withdrawal of Rules		12-34-07	0780-02-02 0780-02-03 Originally filed Nov 16, 2007; effect. Jan 31, 2008		Originally filed Nov 16, 2007; effect. Jan 31, 2008
12-35-07	Dec 28, 2007	0620/1200 Finance and Administration Bureau of TennCare	Public Necessity Rules	Amendments	2800	Chapter 1200-13-01 General Rules 1200-13-01-.27 Home And Community Based Services Waiver For The Elderly And Disabled In Shelby County	George Woods Bureau of TennCare 310 Great Circle Road Nashville TN 37243 615-507-6446	Dec 28, 2007 through June 10, 2008